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Intellectual Property Administration
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PATENT APPLICATION

ATTORNEY DOCKET NO. 200309672-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Mark Hirst et al.

Application No.: 10/684,634

Filing Date: October 14, 2003

Title: APPARATUS HAVING ACTUATING MEMBER

Confirmation No.: 3755

Examiner: Ren Luo Yan

Group Art Unit: 2854

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, April 25, 2008, rejecting the following claims 2-38, and 42-47

☒ The fee for filing this Notice of Appeal is $510.00 (37 CFR 41.20).

☐ No Additional Fee Required.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month $120 ☐ 2nd Month $460 ☐ 3rd Month $1050 ☐ 4th Month $1640

☐ The extension fee has already been filed in this application

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of $ 510.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CRF 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

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☐ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

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Respectfully submitted,

Mark Hirst et al.

By /paulpkempf/

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